

REMARKS

Claims 1-43 are pending in the present patent application. The Examiner has rejected claims 1-42. Applicant has canceled claims 2, 4, 8 and 11-33 and amended claims 1, 3, 5-7, 9-10, 34, 35, and 38-42. Applicant respectfully requests reconsideration of pending claims 1, 3, 5-7, 9-10, 34-35, 38-42 and consideration of newly submitted claims 44-72 in view of at least the following amendments and remarks.

I. Rejection of Claims 1-22 and 27-32 Based on 35 U.S.C §112

The Examiner has rejected claims 1-22 and 27-32 under 35 U.S.C. §112 second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter application regards as the invention. The Examiner states:

Per independent claims 1 & 11, and dependent claim 27 the use of "behavior" is repugnant to its generally accepted meaning. Applicant uses "behavior" to refer to software functions, or the resulting changes in operation of those functions. The generally accepted meaning of behavior refers to the actions of a human being. When referring to software, it is generally used to indicate artificial intelligence. In the present case, the Examiner was not able to uncover any artificial intelligence. In the present case, the Examiner was not able to uncover any artificial intelligence in the present application. Therefore, the use of the term "behavior" in the manner claimed by Applicant would generally confuse the person of ordinary skill in the art (PHOSITA) as to what was being claimed. While applicant may be his or her own lexicographer, a term in a claim may not be given a meaning repugnant to the usual meaning of that term. See *In re Hill*, 161 F.2d 367, 73 USPQ (CCPA 1947).

Claims 1-10, 12, and 34-42 are rejected under 35 USC 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Per Independent claims 1 & 34 and dependent claim 12; the metes and bounds of "traditional picture frame" cannot be discerned from the disclosure. Many television sets have "traditional picture frames". Furthermore, the metes of "traditional" cannot be discerned. Does this mean neo-classic and art-nouveau picture frame would not be covered by the breadth of this claim? These are questions that must be clear from reading the claims in light of the

specification. Furthermore, what is generally considered "traditional" depends on one's cultural bias.

The Examiner believes that the Applicant is attempting to claim "a frame ornamentally designed explicitly to reassemble those that circumscribe printed photographs." The Examiner notes that many television frames and LCD frames are similar to those "traditionally" used for photographs.

Applicant thanks the Examiner for pointing out the issues presented in the claims with respect to 35 U.S.C. 112, 2<sup>nd</sup> Paragraph. Applicant has amended claims to more clearly define an embodiment of the invention in view of the Examiner's comments. Applicant reserves the right to seek claims directed to the initially claimed subject matter in a continuation or divisional application and respectfully submits that one of ordinary skill in the art would recognize that the term "behavior" relates to a set of functions or actions to be performed by the frame device. Applicant has amended the claims to clarify that the term behavior relates to preferences that define the functionality of the frame device.

Applicant has replaced the term "traditional picture frame" with "picture frame designed to resemble those that circumscribe printed photographs." Accordingly, Applicant respectfully submits that claims 1-10, 12, and 34-42 claim the invention with sufficient particularity.

## II. Rejection of Claims 1, 3, 5, 11-13, and 17 Based on 35 U.S.C. § 102

The Examiner has rejected independent claims 1, 3, 5, 11-13, and 17 under 35 U.S.C 102(a) as being anticipated by WO 99/54663 published 04/1998 to HAGIWARA SYS-COM stating:

Per independent claim 1; HAGIWARA SYS-COM discloses: A system for distributing data comprising:

one or more frame devices (FIG. 6) configured to operate according to behavior characteristics, said one or more frame devices each having a border region modeled to resemble a traditional picture frame ("still image data" - ABSTRACT, element 60-FIG. 6);

a data repository having image data (still image data-ABSTRACT, "storage media...are inserted into an insertion opening 21"-ABSTRACT);

an interconnection fabric coupled to said one or more frame devices (inherent..."reads data with file numbers from the storage media"-ABSTRACT), said interconnection fabric configured to relay said image data from said data repository to said one or more frame devices when said one or more frame devices automatically issues a request for said image data ("when a replay button 10 at an operating unit 10 is operated {sic}, a processing unit reads data with file number n..."-ABSTRACT).

Per the claimed "behavior characteristics" it is noted that-storage means...which stores multiple playback programs corresponding to the recording methods for the various data stored in the recording medium...still image data...moving image data...and sound data contained in the recording means"-page 2, lines 1-3 and 5-7.

If Applicant disagrees that the recitation is clearly one of operating according to "behavior" characteristics, is noted that it was notoriously well-known in the art of photo display to associate "behavior characteristic" with photograph files. This was described by LIPS GLOEILAMPENFABRIKEN, wherein auxiliary software functions are appended to photo files (Abstract), which control presentation behavior of the picture ("orientation"-page 14, lines 20-22; shifting-page 15, lines 15-16; picture processing operations-page 15, lines 25-32 et seq. and "display sequence"-page 16, lines 1-9;page 17, lines 20-25 selection criteria-page 19, lines 1-17; software-col 21, lines 1-17). It would have been obvious to a Person Having Ordinary Skill In The Art, i.e., PHOSITA, at the time of the invention to combine the auxiliary data of LIPS GL with the frame device of H.SYS-COM by including control information in the storage files 21 of H.SYS-COM in order to allow for proper orientation of picture frames and increased control over the presentation of the photographs as motivated by LIPS GL. (*idem to previous citation*).

It is noted that Applicant has chosen to claim "interconnection fabric" in lieu of network. "Interconnection fabric" is deemed broader than a network, and this "broadest reasonable interpretation" includes the connection buses connecting storage means 21 to CPU 31 of HAGIWARA SYS-COM, even though a "network" is not disclosed per se.

Per independent claim 11, this is substantially a method claim directed to the apparatus of independent claim 1, supra. In order to avoid excessive copy and paste, the arguments regarding independent claim 1, supra. In order to avoid excessive copy and paste, the arguments regarding independent claim 1 are hereby incorporated via reference. It is noted that HAGIWARA SYS-COM is configured to operate using "smart media" delineated, i.e., memory stick like

devices which would have been entailed obtaining an image from any one of many data sources, including computers and digital cameras.

Per dependent claim 3 (1) and 5 (1); HAGIWARA SYS-COM or alternatively HAGIWARA SYS-COM and LIPS GLOEILAMPENFABRIKEN demonstrates "wherein said one or more devices stores said behavior characteristics in one or more behavior modules" and "in said data repository" (inherent in the opening software of HAGIWARA SYS-COM and covered in the obvious rejection, supra, since the image files and operating parameters of the combined device would have been stored in the storage media 1 with picture data-FIG. 6 of H.SYS-COM)

Per dependent claim 13 (11), the device of HAGIWARA SYS-COM inherently has a unique identifier (i.e., serial number).

Per dependent claim 17 (11); HAGIWARA SYS-COM or alternatively HAGIWARA SYS-COM and LIPS GLOEILAMPENFABRIKEN demonstrates "wherein said one or more frame devices stores said behavior characteristics in one or more behavior modules" (inherent in the opening software of HAGIWARA SYS-COM and covered in the obvious rejection, supra, since the image files and operating parameters of the combined device would have been stored in the storage media 1 with picture data-FIG. 6 of H.SYS-COM).

Per independent claim 23, HAGIWARA SYS COM discloses computer readable program code configured to obtain image data from a data source ("storage media containing still data" Abstract; JPEG-page 5, line 6); computer readable program code configured to populate a data repository with said image data ("storage media containing image data-abstract"); computer readable program code configured to respond to a request for said image data by transmitting said image data from said data repository to one or more frame devices (converted by a video decoder into video RAM...-Abstract)

Applicant has cancelled claims 11-22. Applicant respectfully disagrees and submits that claims 1, 3, 5-7, 9-10 as amended, are allowable for at least the following reasons:

1. *The HAGIWARA SYS-COM reference does not teach, suggest, or describe a frame device comprising a border region modeled to resemble a picture frame designed to circumscribe printed photographs where the frame device is configured to automatically issue a request for image data and obtain the image data via a network.*

2. *The HAGIWARA SYS-COM reference is not coupled to a network and does not teach suggest or describe obtaining image data from a data repository via a network.*

3. *The HAGIWARA SYS-COM reference does not describe a user interface coupled to a server system via a network wherein the user interface is physically separable from the frame device and configured to obtain said image data from a user and provide that image data to the server system.*

Each of these distinctions are discussed in further detail below.

1. The HAGIWARA SYS-COM reference does not teach, suggest, or describe a frame device comprising a border region modeled to resemble a picture frame designed to circumscribe printed photographs where the frame device is configured to automatically issue a request for image data and obtain the image data via a network.

Applicant respectfully submits that the HAGIWARA SYS-COM reference, hereinafter HSC, does not describe the claimed invention. The HSC reference, describes a reproducing device housing a storage media containing still image data, dynamic image data, and audio data. The device can obtain such data from memory and perform processing (e.g., decompression) on the data. Upon completion of processing the data is output locally (e.g., video RAM). The Examiner states that HSC discloses a system for distributing data to one or more frame devices configured to operate according to a set of behavior characteristics (e.g., frame devices functions). The Examiner cites ABSTRACT, element 60-Fig 6, to support the proposition that HSC describes a system where image data from a storage device is transmitted to a graphic display in the manner that is claimed.

Applicant respectfully disagrees. The HSC reference does not describe a frame device comprising a border region modeled to resemble a picture frame designed to circumscribe printed photographs where the frame device is configured to automatically issue a request for image data and obtain the image data via a network.

The portions of HSC cited by the Examiner make reference to a storage device (e.g., a reproducing device) coupled with a display screen (See e.g., HSC element 60-Fig 6). The reproducing device (see e.g., element 1, Figures 1, 2, 5, and 6. When a "replay button" on the device is operated the device initiates processing (See. e.g., line 3 of the ABSTRACT). The device does not initiate a request for image data unless a "reply button" is selected. Thus the device cannot automatically request image data. The device described in the HSC reference requires human intervention in order to initiate processing. In contrast, the frame device described in the claimed invention automatically issues a request for image data without requiring user input. The claims set forth this notion by stating that the server system is configured to periodically relay image data to the frame device when the frame device automatically issues a request for said image data. Therefore, Applicant respectfully submits that the HSC reference cannot anticipate pursuant to 35 U.S.C. §102 because the claimed invention because the system describe in the HSC reference does not describe a device configured to automatically initiate a request for image data.

2. The HAGIWARA SYS-COM reference is not coupled to a network and does not teach suggest or describe obtaining image data from a data repository via a network.

In addition to the argument set forth above, Applicant respectfully submits that the HSC reference cannot anticipate the claimed invention because the HSC reference does not utilize a network to connect to a data repository. In the following paragraph the Examiner states that "a 'network' is not disclosed per se:

It is noted that Applicant has chosen to claim "interconnection fabric" in lieu of network. "Interconnection fabric" is deemed broader than a network, and this "broadest reasonable interpretation" includes the connection buses connecting storage means 21 to CPU 31 of HAGIWARA SYS-COM, even though a "network" is not disclosed per se.

Applicant agrees with the Examiner's statements and respectfully submits that the claimed invention, as amended, is therefore not anticipated by the HSC reference. In contrast to the reproducing device described in the HSC reference, the claimed invention contains a network coupled to at least one-frame device where the network is used to relay image data to a frame device. According to the M.P.E.P §2131, "To anticipate a claim, the reference must teach every element of the claim." The HSC reference does not contain a network and cannot therefore anticipate the claimed invention under 35 USC §102(a).

3. The HAGIWARA SYS-COM reference does not describe a user interface coupled to a server system via a network wherein the user interface is physically separable from the frame device and configured to obtain said image data from a user and provide that image data to the server system.

In addition to the reasons stated above, Applicant respectfully submits that the HSC reference does not teach, suggest, or describe the claimed invention because the HSC reference does not describe a user interface in the manner that is claimed. The reproducing device described in the HSC reference cannot be provided image data from a remote location via a user interface coupled to a server system that can interface with one or more of the frame devices. Instead HSC discloses a self-contained device for the reproduction of image data through a process of conversion. The storage media is inserted into the reproducing device. The computer readable program code is activated upon the execution of operation unit (10). (See e.g. *Abstract*). This prompts the microprocessor to read the image data on the storage media. Upon verification that the image to be read is image data, the data is decompressed by a decompression program. The decompressed image is then converted by a video decoder and a RAM video into image information and audio data is subsequently converted into a transmittable medium through an Analog to Digital (A/D) converter. There is no user interface for remotely obtaining image data from a user at a location separable from the frame device itself. A user in California, for example, cannot provide image data to the system and schedule that image data to be displayed on a frame device that resides in New York. Additionally, a user cannot control the functionality of multiple frame devices (e.g., by defining a set of preferences) from a remote interface physically separable from the frame device itself.



In contrast, the claimed invention has a user interface for obtaining image data that is ultimately transported to the frame device from a server system. The frame device can, for example, obtain image data from a user, store that image data at the server system, and respond to the frame device's periodic requests for image data by transmitting the image data from the server system to one or more frame devices. In one embodiment of the invention, the image data is transported in accordance with a set of preferences (e.g., also referred to as behavior characteristics) that may be defined via the user interface (e.g., picture box). The HSC reference does not teach, suggest or describe any such user interface. Consequently, Applicant respectfully submits that in addition to the reasons stated above, the HSC reference lacks a user interface as claimed and cannot anticipate the claimed invention.

Dependent Claims 2-10, 12-22, 24-25, 27 and 29

Applicant respectfully submits that claims 2-10, and 12-22, 24-25, 27 and 29 as being dependent upon respective allowable base claims are also allowable for at least the foregoing reasons stated above.

III. Rejection of Independent Claims 1 and 11 Based on 35 U.S.C. § 103

In the alternative, the Examiner has rejected independent claims 1 and 11 under 35 USC §103(a) as being obvious by HAGIWARA SYS-COM, hereinafter HSC, in view of LIPS GLOEILAMPENFABRIKEN (WO 92/05657), hereinafter LIPS GL. The Examiner states:

If Applicant disagrees that the recitation is clearly one of operation according to "behavior" characteristics, is noted that it was notoriously well-known in the art of

photo display to associate "behavior characteristics" with photograph files. This was described by LIPS GLOEILAMPENFABRIKEN, wherein auxiliary software functions are appended to photo files (Abstract), which control presentation behavior of the picture ("orientation-page 14, lines 20-22; shifting-page 15, lines 15-16; picture processing operations-page 15, lines 25-32 et seq. and daily "display sequence"-page 16, lines 1-9; page 17, lines 20-25; selection criteria-page 19, lines 1-12; software-col. 21, lines 1-17). It would have been obvious to a Person Having Ordinary Skill In The Art, i.e., PHOSITA, at the time of the invention to combine the auxiliary data of LIPS GL with the frame device of H. SYS-COM by including control information in the storage files 21 of H. SYS-COM in order to allow for proper orientation of picture frames and increased control over the presentation of the photographs as motivated by LIPS GL. (*idem.* to previous citation)

Applicant has canceled claim 11 for reasons unrelated to patentability and reserves the right to reintroduce the subject matter of claim 11 in a subsequent continuation or divisional application. Regarding claim 1, Applicant respectfully disagrees that claim 1 is obvious in view of the references cited and submits that claim 1 is in condition for allowance for at least the following reasons:

1) HAGIWARA SYS-COM in view of LIPS GLOEILAMPENFABRIKEN (hereinafter LIPS GL) does not teach, suggest, or describe a user interface coupled to a server system via a network wherein the user interface is physically separable from the frame device and configured to obtain image data from a user and provide that image data to the server system.

The Examiner states that the claimed invention is obvious and therefore unpatentable because it is "notoriously well known in the art of photo display to associate behavior characteristics with photograph files." Applicant respectfully points out that although such an association may be known to those of ordinary skill in the art, the claimed invention, as amended, does more than merely correlate or associate display behaviors with a photograph. The Examiner's statement that the HSC reference in view of the LIPS GL reference renders the claimed invention obvious does not take into consideration the additional

limitations set forth in claim 1. In order for the HSC reference in view of the LIPS GL reference to render the claimed invention obvious the references in combination must teach, describe, or suggest to one of ordinary skill in the art each and every aspect of the claimed invention. Applicant respectfully submits that the HSC reference and LIPS GL reference, either alone or in combination, do not teach, suggest or describe a user interface physically separable from the frame device and configured to obtain image data and a set of operational preferences from the user. Neither the HSC reference or the LIPS GL reference provide image data and a set of preferences that can be used to control the operation of the frame device from a remote location.

The LIPS GL reference describes a digital picture playback device for retrieving and storing picture parameter data from a digital database medium in which digitized pictures have been stored. The playback device comprises of a read unit for reading the digitized pictures pursuant to a first set of control prerogatives. The digitized pictures are then displayed by the playback device pursuant to a second set of control information programmed by the user on the playback which then controls the reproduction of the pictures displayed by the playback device. This information is then saved to a removable second database coupled to the playback device so that the second database can be inserted into another playback device without the need to recustomize the picture parameter data. The control information described in the LIPS-GL reference is provide by the user via a local interface. There is not a remotely accessible user interface that may be utilized to provide image data or other data to one or more frame devices via a server system.

Applicant respectfully disagrees that LIPS GL when viewed in combination with the HSC reference suggests a system where a frame device is configured to operate according to a set of functions established **over a network** through a remote control/picture box user interface. The Examiner points to page 14, lines 20-22; page 15, lines 15-16; page 15, lines 25-32 et seq; page 16, lines 1-9; page 17, lines 20-25; page 19, lines 1-12; col. 21, lines 1-17, to support the notion that LIPS GL teaches the use of a device configured to operate according to a set of functions obtained from a remote data repository over a network and then display image data pursuant to the proscribed set of functions. However, the portion cited does not describe preferences provided from a user interface (e.g. picture box) separable from the frame device itself and submitted to a server system over a network and then utilized to control what images are displayed (e.g., behavior) upon one or more frame devices.

The Examiner also states that "it would have been obvious to a Person Having Ordinary Skill In The Art, [sic], at the time of the invention to combine the auxiliary data of LIPS GL. with the frame device of H.SYS-COM by including control information in the storage files 21 of H.SYS-COM..." Applicant respectfully disagrees with the Examiner's characterization of the claimed invention and submits that it would **not** have been within the level of ordinary skill in the art to utilize the technique implemented in the claimed invention. Applicant submits that the preferences (e.g., functions or behavior characteristics) at issue can be provided by the user at a remote interface (e.g. picture box) and obtained by the frame device over a network link. Moreover, the HSC reference describes the use of a removable storage media in conjunction with a display apparatus. In the current system, the frame device does not have a removable storage medium and requires no local input on the user's part

except for plugging the device into a power source and a communication medium such as a network link.

Without the presence of a network link with the frame device the user would not be able to customize the preference associated with each frame device from a remote interface as claimed in the invention. Applicant respectfully submits that the references cited do not suggest this notion and that the building of such an interface to control multiple frame devices would not have been obvious to one of ordinary skill in the art.

#### Dependent Claims 2-9

Applicant respectfully submits that claims 2-9 as being dependent upon respective allowable base claims are also allowable for at least the foregoing reasons stated above

#### **IV. Rejection of Independent Claim 23 Based on 35 U.S.C. § 103**

The Examiner has rejected independent claim 23 under 35 USC §103(a) as being obvious by HAGIWARA SYS-COM, hereinafter HSC, in view of HEATHER NEWMAN FREE PRESS STAFF , W., "Nifty Ways You Can Soup Up Your Machine", hereinafter NEWMAN. The Examiner states:

If the Applicant disagrees with this interpretation, it is noted that the software for writing to/ and reading from computer memory cards was known ("using a digital camera that has compact flash cards that you can stuff right into the JPEG viewer or by using one of Lukis' compact flash to PC connection devices"-NEWMAN approx. paragraph 1. It would have been obvious to PHOSITA at the time of the invention to employ software for writing to the memory cards and or to the PCconnectiondeviceof HAGIWARA SYS-COM because it was explicitly suggested by NEWMAN and implied that it was already in use.

For reasons unrelated to patentability Applicant has canceled claims 23-33.

Applicant reserves the right to reintroduce the subject matter set forth in claims 23-33 in a subsequent continuation or divisional application.

**V. Rejection of Independent Claims 34 Based on 35 U.S.C. § 103**

The Examiner has rejected independent claim 34 under 35 USC §103(a) as being obvious by GOLDMAN WO 99/04342, hereinafter GOLDMAN, in view of DI SANTO (US Pat No. 4,742,345), hereinafter DI SANTO. The Examiner states:

Per independent claim 34, WEBTV™ discloses: A method for distributing picture mail ("The WEBTV™ network services are used in conjunction with software running in a WEBTV™ client system to browse the Web, send electronic mail, and to use of the Internet in various other ways"-page 4, lines 34-36) to a community ("WEBTV™" col. 4, line 30) of at least one frame device comprising (element 12-FIG. 3): connecting at least one frame device to an interconnection fabric 29A-FIG. 3, step 901-FIG.9), said at least one frame device having a border region that comprises a traditional picture frame element 12-FIG.3); obtaining a configuration number sequence from a memory located in said at least one frame device (default 800 script-element 809-FIG. 8; "WEBTV™ box 10...built into television set 12"-page 6, lines 9-10); using said configuration number sequence to initiate a connection to a data server via said interconnection fabric 809-FIG. 8; obtaining a localized number sequence from said data server 809-FIG. 8; terminating said connection to said data server 803; reconnecting to said data server via said interconnection fabric ("direct dial, bi-directional data connections 29-page 5, lines 5-10 using said localized number sequence. 803-FIG. 8. The Examiner believes each and every claimed element is described in the recited passages of GOLDMAN. However, should Applicant wish to insist that the TV or WEBTV™ does not have a "traditional" frame in a manner consistent with Applicant's disclosure, it is noted that DI SANTO disclosed a "frame structure illustrated in FIG. 2 comprises a frame structure 30 which may be formed of metal, plastic, or the like and have the look of a conventional picture frame such as the modern aluminum picture frames employed for photographs or the like. "-col. 13, lines 15-25. It would have been obvious to PHOSITA at the time of the invention to combine the Electrophoretic display of DI SANTO with WEBTV™ in order to make DI SANTO more compact and able to fit better into corners and small living rooms.

Applicant respectfully disagrees and submits that claim 34 is allowable for at least the following reason.

1) GOLDMAN in view of DI SANTO does not teach, suggest, or describe a frame device configured to use the mechanism that is claimed to obtain digital photo data over a network and provide a user interface physically separable from the device itself.

Applicant respectfully submits that the GOLDMAN reference in view of DI SANTO does not describe the claimed invention because neither reference describes a system configured specifically to distribute digital photo data to a plurality of frame devices. Moreover, neither reference discloses a remote user interface for controlling the device (and the functionality or preferences of the device) that is physically separable from the device itself. In contrast the claimed invention contains a mechanism for presenting a user interface to a user associated with one or more frame devices, where the presenting executes at a location physically separable from and the user interface provides a mechanism for obtaining digital photo data from the user via said user interface and providing the digital photo data to the frame device where that data is stored in the memory of the frame device.

#### Dependent Claims 35-39

Applicant respectfully submits that claims 35-39 being dependent upon respective allowable base claims are also allowable for at least the foregoing reasons stated above.

CONCLUSION

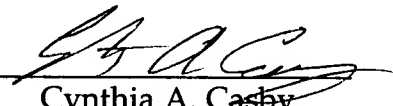
For at least the foregoing reasons, Applicant respectfully submits that pending claims 1, 3, 5-7, 9-10, 34-35, 38-42 and new claims 44-72 are patentably distinct from the prior art of record and in condition for allowance. Applicant therefore respectfully requests that pending claims 1, 3, 5-7, 9-10, 34-35, 38-42, as well as newly submitted claims 44-72 be allowed.

Respectfully submitted,

THE HECKER LAW GROUP

Date: November 7, 2001

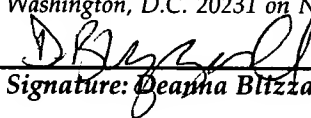
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Signature: Deanna Blizzard Date: Nov. 7, 2001



MARKED-UP VERSION SHOWING CHANGES

CLAIMS

What is claimed is:

- 1) (ONCE AMENDED) A system for distributing image data comprising:  
~~one or more at least one~~ frame devices configured to operate according to preferences defined by a user behavior characteristics, said ~~one or more at least one~~ frame devices each ~~having comprising~~ a border region modeled to resemble a ~~traditional picture picture~~ frame designed to circumscribe printed photographs;  
a user interface coupled to at least one server system via a network wherein said user interface is physically separable from said at least one frame device and configured to obtain image data and said preferences from said user and provide said image data and said preferences to said at least one server system;  
said at least one server system coupled to said at least one frame device via said network a data repository having image data; an interconnection fabric coupled to said one or more frame devices, said interconnection fabric, wherein said at least one server system is configured to periodically relay said image data and said preferences from said data repository to said one or more at least one frame devices when said one or more at least one frame devices automatically issues a request for said image data;
- 2) (PLEASE CANCEL WITHOUT PREJUDICE)
- 3) (ONCE AMENDED) The system of claim 1 wherein said ~~one or more at least one~~ frame devices stores said ~~behavior characteristics preferences~~ at said at least one frame device in ~~one or more at least one~~ behavior modules.
- 4) (PLEASE CANCEL WITHOUT PREJUDICE)

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- 5) (ONCE AMENDED) The system of claim ~~13~~ wherein said ~~behavior characteristics preferences~~ are also stored in said ~~data repository~~ at least one server system.
- 6) (ONCE AMENDED) The system of claim ~~5~~ 3 wherein said ~~one or more at least one~~ frame devices periodically obtains an update for said ~~one or more at least one~~ behavior modules by obtaining said ~~behavior characteristics preferences~~ from said ~~data repository~~ at least one server system.
- 7) (ONCE AMENDED) The system of claim ~~21~~ wherein input to said ~~picture box~~ user interface is permitted when ~~asaid~~ a user is authenticated by said at least one server system.
- 8) (PLEASE CANCEL WITHOUT PREJUDICE)
- 9) (ONCE AMENDED) The system of claim ~~21~~ wherein said ~~one or more at least one~~ frame devices initiates said request for said image data at intervals ~~specified in said picture box~~ obtained via said user interface.
- 10) (ONCE AMENDED) The system of claim ~~3~~ wherein said ~~one or more at least one~~ behavior modules directs said ~~one or more at least one~~ frame devices to obtain said image data from a content provider.
- 11 – 22) (PLEASE CANCEL WITHOUT PREJUDICE)
- 23-33) (PLEASE CANCEL WITHOUT PREJUDICE)
- 34) (ONCE AMENDED) A method for distributing picture mail via a network to a community of ~~at least one~~ frame devices comprising:  
connecting at least one frame device ~~to an interconnection fabric to a network~~ , said wherein said at least one frame device having comprises

**MARKED-UP VERSION SHOWING CHANGES**

a border region modeled to resemble a picture frame designed to circumscribe printed photographs that comprises a traditional picture frame;

obtaining a configuration number sequence from a memory located in said at least one frame device;

using said configuration number sequence to initiate a connection to a at least one data server via said network interconnection fabric;

obtaining a localized number sequence from said at least one data server;

terminating said connection to said at least one data server;

reconnecting to said at least one data server via said network interconnection fabric using said localized number sequence;

presenting a user interface to a user associated with said at least one frame device, wherein said presenting executes at a location physically separable from said at least one frame device;

obtaining image data from said user via said user interface;

providing said image data to said at least one frame device via said network;

storing said image data in said memory of said at least one frame device.

35) (ONCE AMENDED) The method of claim 34 wherein said localized number sequence is stored in said memory of said at least one frame device.

36) (UNCHANGED) The method of claim 35 wherein said at least one frame device utilizes said localized number sequence when said localized number sequence resides in said memory.

37) (UNCHANGED) The method of claim 34 wherein said configuration number sequence is used when said localized number sequence does not reside in said memory.

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38) (ONCE AMENDED) The method of claim 34 ~~further comprising: wherein~~ said obtaining said image data from said user via said user interface further ~~comprises storing said image data in a~~ at least one data repository accessible via ~~said interconnection fabric network.~~

39) (ONCE AMENDED) The method of claim 38 further comprising:  
obtaining an onboard software update of said at least one frame  
device's onboard software from said at least one data repository via said  
network.

40) (ONCE AMENDED) The method of claim 39 wherein said update to said  
onboard software update ~~modifies the functionality of said at least one frame~~  
devices functionality.

41) (ONCE AMENDED) The method of claim 40 wherein said at least one  
frame device determines whether said update to said onboard software ~~update is~~  
current.

42) (ONCE AMENDED) The method of claim 41 wherein said ~~step of~~  
obtaining said update of said onboard software ~~update executes~~ when said  
update to said onboard software ~~update is not current.~~

43) (UNCHANGED) The method of claim 34 wherein said ~~step of obtaining~~  
said configuration number sequence from a said memory located in said at least  
one frame device occurs automatically.

44) (NEW) A method for distributing digital photo data to at least one picture  
frame device comprising:

connecting at least one picture frame device to a network coupled  
to at least one server system;

presenting a user interface to a user associated with said at least  
one picture frame device, wherein said presenting executes at a client system

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coupled to said network and physically separated from said at least one picture frame devices;

utilizing said user interface to obtain digital photo data from said user;

populating said at least one server system with said digital photo data;

determining if said digital photo data conforms to a display constraints associated with said at least one picture frame device;

modifying said digital photo data to conform to said display constraints when said determining step indicates non-conformity;

said at least one picture frame device automatically initiating a periodic connection between said at least one picture frame device and said at least one server system via said network;

transmitting said digital photo data from said at least one server system to said at least one picture frame device via said network;

displaying said digital photo data on said at least one picture frame device.

45) (NEW) The method of claim 44 wherein said at least one picture frame device comprises an ornamental border region that circumscribes said digital photo data.

46) NEW) The method of claim 44 wherein said at least one picture frame device comprises a unique identifier.

47) (NEW) The method of claim 46 wherein said digital photo data is associated with said unique identifier.

48) (NEW) The method of claim 44 wherein said display constraints further comprise filter criteria.

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49) (NEW) The method of claim 48 wherein said filter criteria comprises determining if said user has permission to access said at least one server system.

50) (NEW) The method of claim 44 wherein said at least one picture frame device comprises a behavior module configured to store operational preferences associated with said at least one picture frame device.

51) (NEW) The method of claim 50 further comprising:

said user interface further comprising a means for obtaining said operational preferences;

loading said operational preferences into said behavior module at said at least one picture frame device via said network.

52) (NEW) The method of claim 51 where said presenting said user interface occurs after said user is authenticated.

53) (NEW) The method of claim 52 wherein said operational preferences comprise behavior characteristics stored in said at least one server system prior to performing said loading said operational preferences into said behavior module.

54) (NEW) The method of claim 51 wherein behavior module directs said at least one frame device to perform said step of automatically initiating, from said at least one picture frame device, said periodic connection between said at least one picture frame device and said at least one server system at predetermined intervals.

55) (NEW) The method of claim 54 wherein said predetermined intervals are set via said user interface.

56) (NEW) A system for distributing digital photo data between a plurality of users comprising:

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at least one frame device configured to operate according to a set of preferences defined by a first user wherein said at least one frame device comprises a border region modeled to resemble a picture frame designed to circumscribe printed photographs;

a network coupled to said at least one frame device wherein said at least one frame device is further configured to:

obtain a configuration number sequence from a memory located in said at least one frame device;

use said configuration number sequence to initiate a connection to at least one server system via said network;

obtain a localized number sequence from said at least one server system;

terminate said connection to said at least one server system;

reconnect to said at least one server system via said network using said localized number sequence;

a user interface transmitted to at least one client system by said at least one server system via said network wherein said user interface and said at least one client system are physically separated from said at least one frame device and provide a means for obtaining said digital photo data from a second user of said at least one client system and transmitting said digital photo data to said at least one server system;

said at least one server system coupled to said at least one frame device via said network, wherein said at least one server system is configured to periodically relay said digital photo data to said at least one frame device when said at least one frame device automatically issues a request for said image data.

57) (NEW) The system of claim 56 wherein said digital photo data is stored in said memory of said at least one frame device.

58) (NEW) The system of claim 56 wherein said at least one server system is further configured to determine if said digital photo data conforms to a display constraints associated with said at least one frame device and modify said digital

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photo data to conform to said display constraints when said digital photo data is non-conforming.

59) (NEW) The system of claim 58 wherein said display constraints comprise a size value associated with said digital photo data.

60) (NEW) The system of claim 58 wherein said display constraints comprise a resolution value associated with said digital photo data.

61) (NEW) The system of claim 58 wherein said display constraints comprises a quality value associated with said digital photo data.

62) (NEW) A computer program product comprising:  
\_\_\_\_\_ a computer usable medium having computer readable program code embodied therein for distributing data over a network to at least one frame device, said computer program product comprising computer readable program configured to:

present a user interface to a first user associated with said at least one frame device, wherein said presenting executes at a geographic location physically separate from said at least one frame device;

utilizing said user interface to obtain digital photo data from said first user;

populate a data repository with said digital photo data;

respond to a request for said digital photo data from said at least one frame device by transmitting over said network said digital photo data from said data repository to at least one frame device.

\_\_\_\_\_ display said digital photo data at said at least one frame device to a second user.



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63) (NEW) The computer program product of claim 62 further comprising computer readable program code configured to determine if said first user has permission to populate said data repository.

64) (NEW) The computer program product of claim 62 wherein said at least one frame device comprises a unique identifier.

65) (NEW) The computer program product of claim 62 wherein said digital photo data is stored in said data repository in a manner associated with said unique identifier.

66) (NEW) The computer program product of claim 62 wherein said at least one frame device comprises computer readable program code configured to store behavior characteristics for controlling said at least one frame device's operations.

67) (NEW) The computer program product of claim 66 wherein said behavior characteristics are adjustable by said second user via said user interface.

68) (NEW) The computer program product of claim 66 further comprising computer readable program code configured to store said behavior characteristics in said data repository prior to transmitting said behavior characteristics to said at least one frame device over said network.

69) (NEW) The computer program product of claim 67 wherein access to said user interface occurs when said first user is authenticated.

70) (NEW) The computer program product of claim 67 wherein said at least one frame device requests image data over said network from said data repository at predetermined intervals.

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71) (NEW) The computer program product of claim 70 wherein said predetermined intervals are set via said user interface.

72) (NEW) The computer program product of claim 71 wherein said first user comprises a content provider.